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PATENT
Attorney Docket 044508-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gerald Quinnan et al.**)
Application No. 09/762,261) Group Art Unit: 1648
Filed: **May 29, 2001**) Examiner: **Shannon Foley**
For: **HIV-1 Envelope Protein Associated**)
With a Broadly Reactive Neutralizing)
Antibody Response (Amended))

U.S. Patent and Trademark Office
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401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

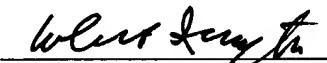
1. Transmitted herewith is a Supplemental Response Under 37 C.F.R. 1.116 further in response to the Office Action dated May 12, 2005.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have overlooked the need for an extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310. This request is being filed under the next business day rule on Tuesday, January 17, 2006 as the due date for responding fell on a Saturday (January 14, 2006) and Monday (January 16, 2006) was a Federal Holiday.
3. Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	55	minus	75	0	\$50.00 each=	0.00
Independent Claims	4	minus	10	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
					Sub-total =	\$0.00
					Reduction by ½ for filing by a small entity	\$0.00
					Total Fee =	\$0.00

4. Additional Papers Submitted:
 - (i) Statement Regarding Biological Deposit Under 37 C.F.R. 1.804.
 - (2) Copy of Deposit Acknowledgment from American Type Culture Collection
5. Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **January 17, 2006**
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP



Robert Smyth, Ph.D.
Registration No. 50,801



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In re Application of: **Gerald Quinnan et al.**

Application No. **09/762,261**

Filed: **May 29, 2001**

Examiner: **Shanon Foley**

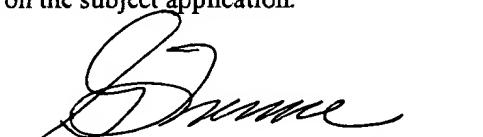
Group Art Unit: **1648**

For: **Expression and Characterization of HIV-1 Envelope Protein Associated With a Broadly Reactive Neutralizing Antibody Response**

STATEMENT REGARDING BIOLOGICAL DEPOSIT UNDER 37 C.F.R. 1.804

The undersigned hereby affirms that plasmid pSV7d containing the nucleic acid sequence encoding SEQ ID No. 1 was deposited with the American Type Culture Collection (ATCC) on December, 2006 under accession No. PTA-7237.

Further, the undersigned hereby affirms that the plasmid was deposited under the terms of the Budapest Treaty and that the plasmid will be irrevocably and without restriction or condition released to the public upon the issuance of a patent based on the subject application.



Gerald Quinnan, M.D.

1/11/06
Date

**AMERICAN TYPE CULTURE COLLECTION**

10801 University Blvd.
Manassas, VA 20110-2209
Telephone: 703-365-2700
Fax: 703-365-2745

FACSIMILE

Date: **January 10, 2006**

To: **Gerald Quinnan, MD**

Fax Number: **301-295-1933**

From: ATCC Patent Depository **Number of pages: 1 (Including this page)**

REFERENCE: **Patent Deposit**

Description:

Human Immunodeficiency Virus Type 1, Strain R2: HIV-1 R2 env gene in pSV7d assigned ATCC No. PTA-7237.

Date of Deposit: December 1, 2006. The ATCC Certificate of Deposit will be forwarded to you within 30 days. The following fees will be invoiced referencing P.O. # 123483:

Total fees for PTA-7237	\$2,500.00
(storage/informing/viability testing)	


Tanya Nunnally, Patent Specialist
ATCC Patent Depository

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